

# CALFRESH (CF) PROGRAM

## REQUEST FOR POLICY/REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO:		5. DATE OF REQUEST:	NEED RESPONSE BY:
<input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:		12/22/2016	1/6/2017
2. REQUESTOR NAME:		6. COUNTY/ORGANIZATION:	
3. PHONE NO.:		San Joaquin County Human Services Agency	
4. REGULATION CITE(S):		7. SUBJECT:	
MPP 63-403.11, 42-431.231(b), 42-431.62, 42-431.63		8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s).  ACLs: 01-18, 06-60, , 08-15, 09-49, 13-25, 05-08 ACINs: I-41-07, I-27-09, I-65-11, I-102-10, I-07-15	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

CF HH consisting of mother and 2 children - all with approved U-Visas.

Question: Are the children only eligible to CFAP or are they eligible to Federally Funded SNAP benefits?

10. REQUESTOR'S PROPOSED ANSWER:

ACIN I-102-10 states that children under age 18 are Qualified Noncitizens that qualifying for federal funding; however, ACIN I-07-15 states that U-Visa recipients are not eligible to federal funding and only eligible to CFAP.

Since the family contains a HH member that is both a child and a U-Visa holder - which rule supersedes the other?

CWD proposes that being a child (ACIN I-102-10) supersedes the receipt of a U-Visa (ACIN I-07-15) and the child is eligible to federal funding. Currently, this is how C-IV is programmed and gives federal funding to these children.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

U Visa holders are in the U.S. on a temporary basis under certain circumstances and are not lawful permanent residents or any other type of qualified status. Only qualified and eligible statuses may receive federal benefits. Senate Bill 1569 (Chapter 672, Statutes of 2006), extended eligibility for social services and benefits to noncitizen victims of human trafficking, domestic violence, and other serious crimes, under certain circumstances and specific proof/documentation if otherwise eligible. This bill amended the W&I Code to include certain individuals ineligible for federal programs and, as such, required the implementation of a state-only program. CalFresh state benefits are issued through CFAP and the U Visa individuals in question here would be served through the CFAP state benefit. Under no circumstances are U-Visa holders eligible for federal benefits.

### FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ:

SC 1.25.17